?BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
%DATED: 15.05.2019
*CORAM
THE HONOURABLE MRS.JUSTICE J.NISHA BANU

+W.P(MD)No.12033 of 2019
and
W.M.P.(MD).No.9062 of 2019

#M.Thangaraj
.. Petitioner

Vs.
$1.The District Authorized Officer,
Food Safety Department,
239, 2nd Floor, District Collector Officer,
Sivagangai.

2.Food Safety Officer,
FSO Code No.198,
Kallal & Tiruppathur Block,
Sivagangai District. .. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider the representation dated 19.03.2019 and to submit the samples for analysis and to take proper action on the basis of the analysis report and to intimate the petitioner about the same.
!For Petitioner : Mr.R.Sundar Srinivasan

^For R~1 & R~2 : MrC.M.Mari Chelliah Prabhu
Additional Government Pleader.

:ORDER
This writ petition is filed seeking a Writ of Mandamus to direct the respondents to consider his representation dated 19.03.2019 and to submit the tea products samples for analysis and to take proper action on the basis of the analysis report and also to intimate the petitioner about the same.

2.Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader takes notice for the respondents.

3.By consent of both the parties, this writ petition is taken up for final hearing at the stage of admission itself.

4.Heard both sides.
5.The case of the petitioner is that the petitioner has obtained license on 12.01.2019 for doing business under the name and style ?Kaliyar Tea Traders?. With an intention to carry the business, he has purchased 1 tonne tea dust. On 04.12.2018, the respondents came to the petitioner-s

residence and after conducting inspection, collected the samples for laboratory analysis and the remaining tea dust were kept in the house and the same was also sealed. On 24.01.2019, after analysing the tea products samples, he was informed by the lab that the products could be used. In this regard, the petitioner has given a representation to the respondents on 19.03.2019 enclosing the report of the lab, dated 24.01.2019, seeking to complete the analysis of the food products and also to remove of the seal of the room, in which the stocks were stored. However, the said representation has not been considered by the respondents. Hence, the petitioner is before this Court.

6.The learned counsel appearing for the petitioner would submit that it would be suffice, if the representation of the petitioner dated 19.03.2019, is directed to be disposed of by the first respondent as per law.

7.Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner-s claim, directs the first respondent to consider the representation of the petitioner dated 19.03.2019 and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of two weeks from the date of receipt of a copy of this order.

8.The writ petition is disposed of as above. No costs. Consequently, the connected miscellaneous petition is closed.

To
1.The District Authorized Officer,
Food Safety Department,
239, 2nd Floor, District Collector Officer,
Sivagangai.

2.The Food Safety Officer,
FSO Code No.198,
Kallal & Tiruppathur Block,
Sivagangai District.